

Message Text

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PAGE 01 EC BRU 03343 181821 Z

44

ACTION EB-11

INFO OCT-01 EUR-25 IO-13 ADP-00 AGR-20 CEA-02 CIAE-00

COME-00 DODE-00 FRB-02 H-02 INR-10 INT-08 L-03 LAB-06

NSAE-00 NSC-10 PA-03 RSC-01 AID-20 CIEP-02 SS-15

STR-08 TAR-02 TRSE-00 USIA-12 PRS-01 OMB-01 RSR-01

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R 181718 Z JUN 73

FM USMISSION EC BRUSSELS

TO SECSTATE WASHDC 5365

INFO AMEMBASSY BONN

AMEMBASSY BRUSSELS

AMEMBASSY COPENHAGEN

AMEMBASSY DUBLIN

AMEMBASSY THE HAGUE

AMEMBASSY LONDON

AMEMBASSY LUXEMBOURG

AMEMBASSY PARIS

AMEMBASSY ROME

USMISSION GENEVA

USMISSION OECD PARIS

LIMITED OFFICIAL USE EC BRUSSELS 3343

PASS AGRICULTURE

E. O. 11652: N/ A

TAGS: EAGR, EEC, US

SUBJECT: EC WINE CAP

REF: (A) STATE 111357; (B) EC BRUSSELS 2663

1. SUMMARY. ON JUNE 14 WE PRESENTED TO THE COMMISSION A NOTE ON
THE EC CERTIFICATION REQUIREMENTS FOR IMPORTED WINE, AS INSTRUCTED
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PAGE 02 EC BRU 03343 181821 Z

IN REF. A. WE STRESSED THE PRINCIPLE OF RECIPROCITY AS WELL AS THE NEED TO AVOID A SITUATION WHERE U. S. WINES WOULD BE EXCLUDED FROM EC MARKETS. THE COMMISSION OFFICIALS SAID OUR NOTE WOULD BE PROMPTLY STUDIED, BUT STATED THAT ACCEDING TO OUR REQUESTS WOULD ENTAIL AMENDING EXISTING REGULATIONS, A PROCESS THAT MAY TAKE MONTHS. HOWEVER, THEY ALSO INDICATED THAT FOR INTERNAL REASONS THE EFFECTIVE DATE FOR THE EC CERTIFICATION REQUIREMENTS MAY BE FURTHER POSTPONED. END SUMMARY.

2. ON JUNE 14 MISSION OFFICERS, ACCOMPANIED BY MEIMA (RPE/ STATE) MET WITH FOUR COMMISSION OFFICIALS (INCLUDING SIMONNET OF THE EXTERNAL RELATIONS DIRECTORATE AND GOURDON, THE NEW CHIEF OF THE AGRICULTURAL DIRECTORATE' S WINE DIVISION) AND PRESENTED TO THEM A NOTE ON THE EC CERTIFICATION REQUIREMENTS FOR IMPORTED WINE AS INSTRUCTED IN REF. A. WE ALSO GAVE THEM COPIES OF U. S. WINE REGULATIONS.

3. ON PRESENTING THE NOTE, WE EMPHASIZED THE SERIOUS POLITICAL AND ECONOMIC CONSEQUENCES THAT COULD ARISE FROM THE IMPLEMENTATION OF EC REGULATIONS THAT WOULD EXCLUDE U. S. WINES FROM THE EC BECAUSE OF DIFFERENCES IN OENOLOGICAL PRACTICES IN THE U. S. AND THE COMMUNITY. WE REQUESTED THAT THE COMMUNITY ACCEPT THE PRINCIPLE OF RECIPROCITY SPELLED OUT IN THE NOTE AS A SOLUTION TO THE TECHNICAL PROBLEMS THE U. S. WOULD ENCOUNTER IN MEETING THE CERTIFICATION REQUIREMENTS. THE LIST OF TECHNICAL PROBLEMS SPECIFIED IN THE NOTE, WE SAID, WAS NOT EXHAUSTIVE AND MAY BE INCREASED FOLLOWING FURTHER U. S. STUDIES OF THE EC REGULATIONS.

4. THE COMMISSION OFFICIALS RESPONDED THAT THEY WOULD IMMEDIATELY INITIATE A THROUGH STUDY OF THE POINTS RAISED IN OUR NOTE. THEY DID NOT COMMENT ON THE MERITS OF OUR REQUESTS OR LIST OF PROBLEMS, EXCEPT TO SAY THAT IT WOULD NOT MAKE MUCH DIFFERENCE FOR THE U. S. WHETHER U. S. WINES WERE COMPARED TO THOSE PRODUCED IN EC - ZONE C III OR SOME OTHER ZONE.

5. SIMONNET POINTED OUT THAT TO ACCEPT OUR REQUEST FOR RECIPROCITY WOULD NECESSITATE AMENDMENTS TO EXISTING COUNCIL AND COMMISSION REGULATIONS, A PROCESS WHOSE OUTCOME HE HESITATED TO PREDICT, BUT WHICH, AT ANY RATE, WOULD TAKE SEVERAL MONTHS TO ACCOMPLISH.

6. THE EC CERTIFICATION REQUIREMENTS PRESENTLY ARE SCHEDULED TO LIMITED OFFICIAL USE

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PAGE 03 EC BRU 03343 181821 Z

BECOME EFFECTIVE ON JULY 1 OF THIS YEAR. THE EC OFFICIALS SAID THIS DATE MAY HAVE TO BE POSTPONED AGAIN BY COUNCIL IF ALL MEMBER STATES WILL NOT BE IN A POSITION BY JULY 1 TO IMPLEMENT CORRESPONDING RULES FOR DOMESTIC WINES. WE UNDERSTAND THAT ITALY IS HAVING DIFFICULTIES ON THESE RULES.

7. THE EC OFFICIALS WERE ABLE TO RESPOND TO THE THREE ADDITIONAL

TECHNICAL QUESTIONS WHICH WE POSED AND WHICH ARE LISTED IN
PARAGRAPH 4 OF REF. A. THE ANSWERS ARE AS FOLLOWS:

A. WINES MADE FROM FRUITS OTHER THAN GRAPES: CONTRARY TO OUR
PREVIOUS UNDERSTANDING, WHICH WAS BASED ON CONVERSATIONS WITH
OTHER OFFICIALS IN THE COMMISSION'S WINE DIVISION, WE WERE NOW
ADVISED THAT THESE PRODUCTS CANNOT BE MARKETED IN THE EC WITH
THE USE OF THE WORD " WINE" ON THE LABEL. SOME OTHER TERM, SUCH AS
" DRINK", WOULD HAVE TO BE USED. THE EC RECOGNIZES AS WINE ONLY
THE PRODUCT OBTAINED EXCLUSIVELY BY THE FERMENTATION OF GRAPES.
ACCORDING TO THE EC OFFICIALS, THE USE OF THE WORD " WINE" FOR
PRODUCTS FROM FRUITS OTHER THAN GRAPES WOULD BE MISLEADING TO THE
CONSUMER. THIS OPINION SHOULD BE CONSIDERED AS SUPERSEDING
PREVIOUS OPINIONS OBTAINED.

B. LABELLING OF WINES TO WHICH FRUIT FLAVORS, ETC. HAVE BEEN
ADDED: THESE PRODUCTS ALSO COULD NOT BE CALLED WINES. THE TERMS
THAT COULD BE USED TO DESIGNATE THEM AS WELL AS THE PRODUCTS
REFERRED TO UNDER (A) ABOVE WOULD DEPEND ON THE MEMBER STATE
LAWS.

C. LABELLING OF CERTAIN VARIETAL WINES: THE EC OFFICIALS INDICATED
A POSSIBLE PROBLEM ON THE ENTRY OF VARIETAL WINES WITH NAMES
HAVING GEOGRAPHIC SIGNIFICANCE, EVEN THOUGH THE EC HAS NOT YET
ADOPTED A REGULATION ON LABELLING. THEY SAID THE USE OF NAMES SUCH
AS GAMAY BEAUJOLAIS COULD POSSIBLY BE CONSTRUED BY THE COMMISSION
AS " CONFUSING" THE CONSUMER.
GREENWALD

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